IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17184 of 2004

Between:

M.Srinivas Rao, s/o Subbaiah, r/o Mutyalagudem, Kamanchikallu, Khammam Rural Mandal, Khammam District.

..... PETITIONER

AND

1 The Regional Transport Authority, Khammam, Khammam District.
2 The Motor Vehicles Inspector, Khammam, Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents in seizing the Tractor and Trailer bearing Registration No.AP 36T 5924/5925 of the petitioner, as arbitrary, illegal and consequently direct the respondents to release the vehicle, forthwith.

Counsel for the Petitioner:MR.P.RAVI SANKAR

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court at the admission stage, made the following :

ORDER : (per Hon'ble Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

28th September, 2004.

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(S.ANANDA REDDY, J)

ajr

To

1 The Regional Transport Authority, Khammam, Khammam District.
2 The Motor Vehicles Inspector, Khammam, Khammam District.

3 Two C.Cs. to the G.P. for Transport, High Court Buildings,

Hyderabad (O.U.T).

4 Two C.D. copies.